



## APPENDIX

### Trading With the Enemy Act of 1917, C. 106, 40 Stat. 411, 50 U. S. C. A., as Amended

Section 5(b), as amended by the First War Powers Act of 1941, C. 593, Title III, Sec. 301, 55 Stat. 839, now reads:

“(1) During the time of war or during any other period of National emergency \* \* \* the President may, through any agency that he may designate, or otherwise, and under such rules and regulations as he may prescribe, by the means of instructions, licenses, or otherwise \* \* \* (B) investigate, regulate, direct and compel, nullify, void, prevent or prohibit, any acquisition, holding, withholding, use, transfer, \* \* \* or dealing in, or exercising any right, power, or privilege with respect to, or transactions involving, any property in which any foreign country or a national thereof has any interest, by any person, or with respect to any property, subject to the jurisdiction of the United States; and any property or interest of any foreign country or national thereof shall vest, when, as, and upon the terms, directed by the President, in such agency or person as may be designated from time to time by the President, and upon such terms and conditions as the President may prescribe such interest or property shall be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States, and such designated agency or person may perform any and all acts incident to the accomplishment or furtherance of these purposes \* \* \*.”

Section 7(c) of the original Trading With the Enemy Act of 1917, provides in part:

“\* \* \* whenever any such property shall consist of shares of stock or other beneficial interest in any corporation, \* \* \* it shall be the duty of the Corporation \* \* \* to cancel upon its \* \* \* books

all shares of stock or other beneficial interest standing upon its \* \* \* books in the name of any person or persons, or held for, on account of, or in behalf of, or for the benefit of any person or persons who shall have been determined by the President, after investigation, to be an enemy or ally of enemy, and which shall have been required to be conveyed, transferred, or delivered to the Alien Property Custodian or seized by him \* \* \*."

Section 9(a) provides in part:

"Any person not an enemy or ally of an enemy claiming any interest, right or title to any money or other property which may have been conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him hereunder and held by him or the Treasurer of the United States \* \* \* may file with the said Custodian a notice of his claim under oath and in such form and containing such particulars as the said custodian shall require; and the President, if application is made therefore by the claimant, may order the payment, conveyance, transfer, assignment, or delivery to said claimant of the money or other property so held by the Alien Property Custodian or by the Treasurer of the United States, or of the interest thereon to which the President shall determine said claimant is entitled. \* \* \* If the President shall not so order within sixty days after the filing of such application or if the claimant shall have filed the notice as above required and shall have made no application to the President, said claimant may institute a suit in equity \* \* \* to establish the interest, right, title or debt so claimed, and if so established the court shall order the payment, conveyance, transfer, assignment or delivery to said claimant of the money or other property so held \* \* \*. If suit shall be so instituted, then such money or other property shall be retained in the custody of the Alien Property Custodian, or in the Treasury of the United States, as provided in this Act, and until any final judgment or decree \* \* \*."

Executive Order No. 9095, March 11, 1942 7 F. R. 1971, as amended by Ex. Ord. No. 9193, July 6, 1942, 7 F. R. 5205, provides in part:

"2. The Alien Property Custodian is authorized and empowered to take such action as he deems necessary in the national interest, including, but not limited to, the power to direct, manage, supervise, control or vest, with respect to:

(a) any business enterprise within the United States which is a national of a designated enemy country and any property of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to or which is evidence of ownership or control of any such business enterprise, and any interest of any nature whatsoever in such business enterprise held by an enemy country or national thereof;

(b) any other business enterprise within the United States which is a national of a foreign country and any property of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to or which is evidence of ownership or control of any such business enterprise, and any interest of any nature whatsoever in such business enterprise held by a foreign country or national thereof, when it is determined by the Custodian and he has certified to the Secretary of the Treasury that it is necessary in the national interest, with respect to such business enterprise, either (i) to provide for the protection of the property, (ii) to change personnel or supervise the employment policies, (iii) to liquidate, reorganize, or sell, (iv) to direct the management in respect to operations, or (v) to vest;"